



Mr. Jean-Claude Juncker
President-elect
European Commission
Rue de la Loi 200
1049 Brussels
BELGIUM

20 October 2014

Dear Mr. Juncker,

In this critical moment when you are taking up important responsibilities as Commission President, I would like to reiterate the importance that European business attaches to the conclusion of the Transatlantic Trade and Investment Partnership Agreement. TTIP will generate growth through trade and investment and will help EU and US economies to better integrate. We are convinced that businesses, workers and consumers will significantly benefit from the agreement.

However, these benefits will not be fully grasped unless TTIP remains an ambitious and comprehensive agreement that would not only eliminate tariffs but also cover regulatory requirements, including in services, investment and public procurement markets.

We observe with regret that during the past months TTIP is being constantly under attack. Much of the discussions relate to the Investor-State Dispute Settlement (ISDS) mechanism which some fear might be a threat to the power of States to regulate and protect public interests.

ISDS constitutes a highly technical, non-political, instrument that is used in rare but extreme situations, for instance in cases where the assets of a company are expropriated without proper compensation. It is not a system that allows investors to bring claims against governments for mere loss of their profits. Furthermore, ISDS does not limit the right of States to regulate. It rather reassures that, in the regulatory process, States respect their international obligations.

European business recognises the system is not perfect. We take on the legitimate criticism and call for the improvement of ISDS. We would like to strongly emphasise that TTIP presents a golden opportunity to shape an ISDS that is more transparent and balanced, eliminating possibilities of abuse that may exist in some cases in the current framework.

In BUSINESSEUROPE, we believe TTIP should remain a comprehensive and far-reaching agreement, one that can set high-level standards on a global scale, including on ISDS.



We are confident the EU and the US will be able to design an ISDS that is well balanced, responding to legitimate concerns expressed by civil society, at the same time providing businesses a well-defined investment framework able to respond to 21st century challenges.

Yours sincerely,



Emma Marcegaglia